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IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

AARON MICHAEL SHAMO,

Defendant.

Case No. 2:16-cr-631DAK

NOTICE RELATING TO EXPERT  
TESTIMONY PURSUANT TO  
Fed.R.Crim.Pro. 16(a)(1)(G) AND  
Fed.R.Evid. 702

Judge Dale A. Kimball

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The United States of America, by and through Special Assistant United States Attorney Michael Gadd, and pursuant to Rule 16(a)(1)(G) of the Federal Rules of Criminal Procedure and Rule 702 of the Federal Rules of Evidence, hereby provides to the defendant the following notice relating expert testimony the United States may offer in the trial of this case. The United States hereby offers this notice regarding the potential expert testimony of Dr. Thomas Wayne Rogers, of the San Mateo (California) County Coroner's Office. The summary of the testimony of this witness and the basis for his testimony is listed below.

A. **Rule 16(a)(1)(G) Summary:** Dr. Rogers may offer expert testimony on the following subjects:

Manner and Means of the death of R.K.. Dr. Rogers will offer detailed expert testimony about the manner and means of the death of R.K, occurring on June 13, 2016. Dr. Rogers will testify that he performed an autopsy on the body of R.K. on June 15, 2016, at the San Mateo Medical Center. He will testify that fentanyl was found in the blood of R.K. He will testify that upon examination of the body, there were no signs of trauma or pre-existing conditions that would have led to the death of an otherwise healthy 21 year old male. A copy of Dr. Rogers Report is attached as Attachment A. He will testify in further detail as to the contents of that report.

B. **Expert Qualifications:** Rule 702 of the Federal Rules of Evidence provides that:

A witness who is qualified as an expert by knowledge, skill, experience, training, or education may testify in the form of an opinion or otherwise if:

- (a) the expert's scientific, technical, or other specialized knowledge will help the trier of fact to understand the evidence or to determine a fact in issue;
- (b) the testimony is based on sufficient facts or data;
- (c) the testimony is the product of reliable principles and methods; and
- (d) the expert has reliably applied the principles and methods to the facts of the case.<sup>1</sup>

A copy of Dr. Rogers' curriculum vitae will be provided shortly. Doctor Rogers is qualified to testify with regard to the above-described matters. Dr. Rogers will testify in detail with regard to

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<sup>1</sup> FRE 702.

his education, training, and experience as an autopsy surgeon.

RESPECTFULLY SUBMITTED this 26th day of November, 2018.

JOHN W. HUBER  
United States Attorney

/s/Michael Gadd  
MICHAEL GADD  
Special Assistant United States Attorney